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heir, where there was administration, equal protection of the laws. *Anderson* v. *Shepard* (Ill. 1918) 121 N. E. 215.

The power of a legislature to limit or place conditions upon the right of descent can hardly be questioned. See *People* v. *Simon* (1898) 176 Ill. 165, 52 N. E. 910; *cf. Kichersperger* v. *Drake* (1897) 167 Ill. 122, 47 N. E. 321. Under the statute in the principal case, however, the realty of the heirs would be subjected to claims by registration to which they would otherwise have perfect legal defenses. *Gage* v. *Consumers' Electric Light Co.* (1901) 194 Ill. 30, 64 N. E. 653; *Harts* v. *Glad* (1917) 279 Ill. 485, 117 N. E. 68. The question therefore arises, whether this discrimination between heirs where there is administration, and heirs where there is not administration, requiring registration of titles in the former case, and not in the latter, is constitutional. Classification to be valid need only be reasonable. *Bells Gap R. R.* v. *Pennsylvania* (1889) 134 U. S. 232, 10 Sup. Ct. 533; *German Alliance Ins. Co.* v. *Kansas* (1913) 233 U. S. 389, 34 Sup. Ct. 612. Estates where there is administration come under the control of the state, through the jurisdiction of the probate courts, whose province it is to deal with and adjust the various and conflicting interests concerning the estate. Title registration is a means of adjusting certain of these interests and can, on that ground, be considered as a proper incident to administration. From this viewpoint, the exclusive application of compulsory registration to cases where there is administration would seem justifiable and not unconstitutional. The procedure under the statute is also objected to as furnishing no standard as to what shall be such a hardship as to justify the excusing of an executor from having the title registered. But the delegation of discretionary power to a single individual, *Wilson* v. *Eureka City* (1898) 173 U. S. 32, 19 Sup. Ct. 317, or to a board, *Gundling* v. *Chicago* (1900) 177 U. S. 183, 20 Sup. Ct. 633, has been upheld as constitutional although the standards by which they were to act were not established by the legislature. The presumption is in favor of a reasonable exercise of the delegated power, *Luberman* v. *Van de Cair* (1905) 199 U. S. 552, 26 Sup. Ct. 144; *Western Union Tel. Co.* v. *Richmond* (1912) 224 U. S. 160, 32 Sup. Ct. 449, and it is only in the case of its systematic abuse that the delegation is unconstitutional. *Fisher* v. *St. Louis* (1903) 194 U. S. 361, 24 Sup. Ct. 673; *cf. Yick Wo* v. *Hopkins* (1886) 118 U. S. 356, 6 Sup. Ct. 1064. Where the delegation of power calls for discretion of a judicial nature, as in the principal case, it has generally been upheld. *Gundling* v. *Chicago, supra.* It is submitted that the decision in the principal case is questionable.

CONSTITUTIONAL LAW—DUE PROCESS—CRIMINAL LAW—OVERT ACT.—Defendant was indicted under a statute (Okla. Sess. Laws, 1913, c. 26 § 4) making criminal the keeping of a place with intent or for the purpose of manufacturing, selling or giving away spirituous liquors. *Held,* the statute was unconstitutional. *Proctor* v. *State* (Okla. 1918) 176 Pac. 771.

At common law the concurrence of a criminal mind and a criminal act was necessary to constitute a crime, and of a bare intent the courts would not take cognizance. 1 Bishop, New Criminal Law (8th Ed.) §§ 204, 285; May, Crimes (3rd Ed.) § 5; see *Ex Parte Smith* (1896) 135 Mo. 223, 36 S. W. 628. Still, the state has the undoubted authority to define crimes under its police power, *Shevlin-Carpenter Co.*

v. *Minnesota* (1910) 218 U. S. 57, 30 Sup. Ct. 663; the legislative discretion being subject only to constitutional restrictions. *People* v. *West* (1887) 106 N. Y. 293, 12 N. E. 610. Thus, it has been held that intent can be eliminated from offences in which the public is so interested as to require that one committing the prohibited act do so at his peril, without regard to his actual good faith; *Shevlin-Carpenter Co.* v. *Minnesota, supra; People* v. *West, supra;* and this even though the act so punished be defined as a mere keeping or possession of certain articles. *Crane* v. *Campbell* (1917) 245 U. S. 304, 38 Sup. Ct. 98; *Ex Parte Mon Luck* (1896) 29 Oregon 421, 44 Pac. 693. It would seem, however, that where a mere keeping is the prohibited act, it ought to be of an article the possession of which would raise a reasonable inference of guilt, *cf. Crane* v. *Campbell, supra; Ex Parte Mon Luck, supra;* and not of some innocuous article. In the principal case, no fair inference of guilt is raised by the simple occupation of a place, nor is such occupation, in any proper sense, the proximate cause of the evil sought to be prevented, so as to warrant its prohibition as a reasonable and necessary means of effecting the desirable end. Hence, the statute was an unjustifiable invasion of personal liberty and private property and the case was properly decided.

CONSTITUTIONAL LAW—FEDERAL COURTS—JURISDICTION.—Plaintiff, a Missouri corporation, contracted with the United States for the manufacture of munitions of war out of government supplies. It filed a bill in the Federal Court to enjoin the instigation of a strike by defendant labor union. *Held,* the Federal Court has jurisdiction since the plaintiff in doing government work is acting under the laws of the United States to as full an extent as though it had been incorporated under a national law. *Wagner Electric Mfg. Co.* v. *District Lodge No. 9, International Ass'n. of Machinists* (D. C. 1918) 252 Fed. 597.

The jurisdiction of the Federal Court is limited to the specific provisions marked out in the United States Constitution, Art. III, § 2, Clauses 1 & 2, see Amendments, Art. 10; and extends to "all cases * * * arising under * * * the laws of the United States * * *" It is now well established that such a case is one "in which the validity, construction, or effect of some United States law is involved and upon the determination of which the case depends". *Postal Tel. etc. Co.* v. *Nolan* (1917) 240 Fed. 754; *Hull* v. *Burr* (1914) 234 U. S. 712, 34 Sup. Ct. 892; *cf. St. Anthony Church etc.* v. *Pennsylvania Ry.* (1915) 237 U. S. 575, 35 Sup. Ct. 729. It has long been recognized, it is true, that a corporation organized by an act of Congress may sue, *Osborn* v. *United States Bank* (1824) 22 U. S. 738, or be sued in a federal court, *Union Timber Products Co.* v. *United States Shipping Board etc.* (1918) 252 Fed. 320; see *Bankers Trust Co.* v. *Texas & Pac. Ry.* (1915) 241 U. S. 295, 36 Sup. Ct. 569, but the theory of this as laid down by Justice Marshall in *Osborn* v. *United States Bank, supra,* at p. 824, 825, is that in any suit involving a corporation so created the federal law of the corporation itself is "the first ingredient in the case" and from it all the rights, powers, duties, and obligations of the corporation flow; hence, whether the law itself is in dispute or not, is immaterial. This reasoning, though accepted and followed, *Pacific R. R. Removal Cases* (1885) 115 U. S.